

PRA request

From: Hollywood Sunshine (hollywoodsunshinecoalition@yahoo.com)

To: gilcedillo45@gmail.com; Debby.Kim@lacity.org; Tony.Ricasa@lacity.org; Mel.Ilomin@lacity.org

Date: Thursday, December 6, 2018, 7:49 AM PST

Good morning Councilmember Cedillo,

On behalf of the Hollywood Sunshine Coalition I am making this request under the public records act for copies of all emails to and from your account at gilcedillo45@gmail.com from July 1, 2013 onward to the present day. It's clear from our work that you use this account to conduct public business. As I am sure you are aware the California Supreme Court found last year in City of San Jose that the private email accounts of public officials such as yourself used to conduct public business are subject to disclosure under the law.

Since this is a gmail account it will be very easy for you to export these emails in mbox format using Google Takeout, and it is this form that we will need to have these emails.

Furthermore, because this is a privately held account held on a privately owned server and there is therefore no enforceable duty to preserve these records, in order to be sure that we obtain all emails to or from this account that have to do with City of Los Angeles business, we are also requesting that you search every CD1 staff member email account for emails corresponding with this address and produce those in response to this request as well.

Also note that we are aware that the City of Los Angeles will from time to time claim exemptions under section 6255(a) of the California Public Records Act for requests that involve very many emails, as this one surely does. That particular exemption claim requires a balancing test where the public interest in releasing the records is found to be *clearly* outweighed by the public interest in withholding them. The only conceivable claim that there's any public interest whatsoever in withholding these emails is going to rely on the theory that it'll be too much work to collect and prepare these emails for release and that doing so will interfere with the operations of your office and so forth.

However, we think it's clear that no such claim can possibly withstand scrutiny. The public interest in knowing who you communicate with via this email address, what you communicate about, if and how this address is used to evade open records laws, and so on, is insurmountably high. This is a matter of the utmost public interest. Over the last few years in this country the national news has obsessively focused on private email accounts used by public officials. The situation in Los Angeles is no different. Please take these considerations into account before making any kind of "too much work" exemption claim based on section 6255(a).

Please note that we are simultaneously filing this request on the Next Request platform.

Thank you for your anticipated compliance with this fundamental right granted to we the people by the Constitution of the great state of California.